



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**954 CIVIL APPLICATION NO. 15357 OF 2023
IN FAST/28279/2023**

Ramchandra Nimba Borse

VERSUS

The Collector Dhule And Ors

...

Advocate for Applicant : Mr. More Kumar Gaurav M.
Mr. V.S. Badakh AGP for respondent State.

...

AND

**959 CIVIL APPLICATION NO. 7463 OF 2024
IN FAST/9410/2020**

Vijaysingh Nathesingh Girase

VERSUS

The Collector, Dhule And Ors

...

Advocate for Applicant : Mr. More Kumar Gaurav M.
Mr. S B Jadhav AGP for respondent State.

...

and

**960 CIVIL APPLICATION NO. 7472 OF 2024
IN FAST/20057/2022**

Nathesing Sardar Girase (dead) Thr Lrs Gajendra And Ors

VERSUS

The Collector, Dhule And Ors

...

Advocate for Applicant : Mr. More Kumar Gaurav M.
Mr. K S Patil, AGP for respondent State.

...

AND

**1016 CIVIL APPLICATION NO. 15192 OF 2022
IN FAST/20059/2022**

Ravindra Vana Girase
VERSUS
The Collector, Dhule And Ors

...
Advocate for Applicant : Mr. More Kumar Gaurav M.
Mr. V S Badakh AGP for respondent State.

...
and

**1027 CIVIL APPLICATION NO. 1162 OF 2024
IN FAST/37410/2023**

Shankar Kalu Girase Died Thr Lrs Gorakh Shankar Girase And
Ors

VERSUS
The Collector, Collector Office, Dhule And Ors

...
Advocate for Applicant : Mr. More Kumar Gaurav M.
AGP for Respondents: Mr. V S Badakh
Advocate for Respondent 3 : Mr. A.D. Pawar

...
and

**1028 CIVIL APPLICATION NO. 1163 OF 2024
IN FAST/37356/2023**

Ramsing Shamsing Girase
VERSUS
Collector Dhule And Ors

...
Advocate for Applicant : Mr. More Kumar Gaurav M.
AGP for Respondents: R.R. Tandale
Advocate for Respondent 3: Mr. Pawar Ajay D.

...
AND

**1029 CIVIL APPLICATION NO. 1164 OF 2024
IN FAST/37400/2023**

Karan Govinda Girase
VERSUS
The Deputy Collector, (Land Acquisition) No.1, Medium
Irrigation Project Dhule And Ors

...
Advocate for Applicant : Mr. More Kumar Gaurav M.
AGP for Respondents: Mr. S B Jadhav

...
and

**1030 CIVIL APPLICATION NO. 1165 OF 2024
IN FAST/37405/2023**

Komal Bhimsing Girase
VERSUS
The Collector, Collector Office, Dhule And Ors

...
Advocate for Applicant : Mr. More Kumar Gaurav M.
AGP for Respondents: Mr. K S Patil
Advocate for Respondent 3 : Mr. Pawar Ajay D.

...
and

**1031 CIVIL APPLICATION NO. 1166 OF 2024
IN FAST/37408/2023**

Sushmabai Ramsing Girase
VERSUS
The Collector, Collector Office, Dhule And Ors

...
Advocate for Applicant : Mr. More Kumar Gaurav M.
AGP for Respondents: Mr. K B Jadhavar

...
and

**1032 CIVIL APPLICATION NO. 1167 OF 2024
IN FAST/37553/2023**

Nathesingh Onkar Girase
VERSUS
The Collector, Dhule And Ors

...
Advocate for Applicant : Mr. More Kumar Gaurav M.
AGP for Respondents: Mr. S B Jadhav
Advocate for Respondent 3 : Mr. Pawar Ajay D.

...
and

**1033 CIVIL APPLICATION NO. 1172 OF 2024
IN FAST/37359/2023**

Ramsing Shamsing Girase
VERSUS
Collector Dhule And Ors

...

Advocate for Applicant : Mr. More Kumar Gaurav M.
AGP for Respondents: Mr. V S Badakh
Advocate for Respondent 3 : Mr. Pawar Ajay D.

...

CORAM : S. G. CHAPALGAONKAR, J.

Dated : August 23, 2024

PER COURT :-

1. Heard.
2. Issue notice to the Respondents, returnable on 18.10.2024. Learned AGP waives notice for respondents-State. Learned advocate appearing for respondent/s in respective application/s waive notice for respective respondent.
3. By consent of the parties, applications are taken up for final disposal.
4. The applicants are seeking to condone the delay caused in filing the appeals against the judgment and award passed by the Reference Court. Learned advocate appearing for the applicants submits that applicants are the agriculturists and they have lost their lands on account of acquisition. They have received inadequate compensation. Hence, reference was filed under section 18 of the Land acquisition Act. However, Reference Court has also failed to grant adequate

compensation although there is sufficient material in support of their case.

5. Learned advocate appearing for the applicants would invite attention of this Court to the pleadings in application/s and submits that due to economical barriers and awareness of legal position, delay has been caused. The applicants have not derived any advantage by making delay. Therefore, he urges to condone the delay.

6. Learned advocates appearing for respondents vehemently opposed the prayers. There is no explanation for inordinate delay.

7. Having considered the submissions advanced, apparently, applicants are litigating for adequate compensation against acquisition of their lands. They have explained the delay in filing the appeal in respective applications. Delay is not intentional although it is not explained for each and every day. Fact remains that, the applicants are the agriculturists and they are litigating for adequate compensation towards acquired land. Consequently, sufficient cause is made out to condone the delay. However, subject to condition that they shall not claim interest for the period of delay. Hence, all civil applications are allowed. The delay caused in filing of appeal/s is condoned subject to condition that the applicants file undertaking to the satisfaction of the Registrar (Judicial) of this Court that they shall not claim interest and statutory benefits for the period of delay. Such undertaking to be filed

within a period of eight weeks from today. Civil applications stand **disposed off**.

First Appeals :-

8. Appeals be registered. On registration of appeals, issue notice to the Respondents. Learned AGP waives notice for respondents/State. Learned counsel appearing for respective respondent waive notice in respective appeals.

9. Call for Record and Proceedings.

(S. G. CHAPALGAONKAR, J.)

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